



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STEVEN H. HILFINGER
DIRECTOR

UNAPPROVED

DODHH ADVISORY COUNCIL MEETING MINUTES
MICHIGAN PUBLIC HEALTH INSTITUTE
INTERACTIVE LEARNING CENTER
2436 Woodlake Circle, Suite 380
Okemos, MI 48864
March 3, 2011

Council Members Present

Melissa Whalen (Chair)
Robert Anthony
Nan Asher
Patrick Baker
Helen Boucher
Amy Burton
Jill Gaus
Liz Kobylak
Helmi Lepisto
Dan McDougall
Brenda Neubeck
Larry Trayner

Council Members Excused

Laura Scott

DODHH Staff

Sheryl Emery, Director
Janet Jurus, State Interpreter
Christy Hill, Executive Secretary

Invited Guests

Jaye Porter, Director, Mich. Rehab
Services
Margie Hadsell, State Administrator
Mich. Rehab Services
Dan Cramer, State Executive Office

CART

Sue Deer Hall, Screenline, LLC

Interpreters

Angela Grzemkowski
Marian Lage
Jeff Plaxo
Sandra Maloney
Tracey Romanow
Deana Welch

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MICHIGAN COMMISSION ON DISABILITY CONCERNS AND
DIVISION ON DEAF AND HARD OF HEARING
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VISITORS IN ATTENDANCE OF THE DODHH ADVISORY COUNCIL MEETING

Chris Hunter, Former DODHH Director
Nancy Mosher, MDE-LIO
Kenya Lowe, AT&T
Christa Moran, U of M Hospital
Becki Shriner, Madonna University
Jolene Howden, Voice, Inc.
Tammy Scholl, Voice, Inc.
David Scholl, Voice, Inc.
Martha Meginley, Interpreter
Josie Cole, Interpreter
Michael Colton, ITP Student
Katie Johnston, LCC ITP Student
Alison Lane, Visitor
Ann-Marie Christman, Mott Comm. Coll.
AmandaNiven, Visitor
Annette Trayner, Visitor
Jennifer Cargill, Interpreter
Karen Jones, Interpreter
Brenda Jones, Visitor
Molly Carlstrom, LCC
Kim Comstock, OCC
Kris Stairs, LCC
Leslie Darling, Peckham, Inc.

Renee Petri, OCC
Christopher Partain, Visitor
Todd Morrison, DEBS
Jennifer Doerr, Mott Comm. College
Lindsey Williams, Visitor
Erin Seipke-Brown, Bloomfield Hills Schools
Melissa Gulvas, Bloomfield Hills Schools
Anita Williams, LCC
Lashonda Windham, LCC ITP
Andrea Boyle, LCC ITP
Greg Froheip, Visitor
Denorval Emery, Visitor
Carole Mehling, Visitor
Jackie Mason, Mott Community College
Leslie Pertz, Visitor
Francis Mead, Visitor
David Stuckless, Michigan Interp. Group
Chris Greene Szmazdzinski, Visitor
Heather Zsoter, LCC ITP
Erin McCarthy, LCC ITP
Shawna Corser, Former LCC ITP
Ariel Oppenheim, LCC ITP

CALL TO ORDER

Mel Whalen, Division on Deaf and Hard of Hearing (DODHH) Advisory Council Chair called the meeting to order at 10:00 a.m. and welcomed everyone. She requested Janet Jurus, DODHH State Interpreter, to read and explain the communication policy to the group. Ms. Jurus read the DODHH Communication Policy and indicated it is in effect for Council Members and visitors to facilitate successful discussion and debate during meeting procedures. Ms. Jurus added this might be the most accessible meeting that most state government departments are able to provide, and on behalf of the DODHH, is very proud to be a part of it. Ms. Jurus requested that the students of the interpreting programs respect approaching the CART reporter or the working interpreters during breaks or lunch for intern related questions. She also indicated she would be willing to sign completed intern-related documents reflecting their presence at the meeting to allow them course credit either during the lunch break or after the meeting concludes.

APPROVAL OF AGENDA/ROLL CALL/

Chair Whalen requested the DODHH Advisory Council Members approve the Agenda with amendments noted. Council Member Asher motioned to approve the Agenda and Council Member Neubeck seconded the motion. Motion approved. Council Member Asher indicated that there is a quorum for the meeting.

INTRODUCTIONS

Chair Whalen requested the Council Members introduce themselves and give a brief summary of where they live and their interest to participate on the DODHH Advisory Council.

Director Emery indicated that the DODHH office has been transitioned into the Michigan Rehabilitation Services (MRS) bureau within the Department of Energy, Labor and Economic Growth (DELEG) effective October 1, 2010. She welcomed Jaye Porter, Director, MRS and Margie Hadsell, State Administrator, MRS, to the meeting and indicated it has been a pleasure to work with these two very highly skilled professional and genuinely nice people. She invited them to introduce themselves. Ms. Porter indicated she began her career as a Rehabilitation Counselor with the State of Michigan and then promoted to Director of MRS seven years ago. She indicated that MRS has been through several transitions, beginning with the Department of Education, then transferring to the Jobs Commission, then to the Department of Career Development, and then to the DELEG. She indicated that the most recent Governor's Executive Order transfers DELEG to the new department, the Department of Licensing and Regulatory Affairs, (LARA) which includes MRS. She indicated that the Commission on Disability Concerns and Division on Deaf and Hard of Hearing (MCDC-DODHH) had been transferred to MRS because the Rehabilitation Services Act (RSA) audit has a stipulation which requires federal funding can only be used for Title I activities. The mission and vision policies of the MCDC-DODHH reflect Title I activities but not solely; thus, the RSA would not honor adequate funding for operational activities to continue. Ms. Porter indicated, however, that MCDC-DODHH will be transferred to the Department of Civil Rights (DOCR) effective 60 days of the signing of the Governor's Executive Order and, operationally, the transfer will not be complete until the new fiscal year.

Ms. Porter indicated she does not have any other details to share at this time but will keep everyone apprised of any new developments. She also indicated that MRS will work with MCDC-DODHH for a smooth transition.

Ms. Margie Hadsell introduced herself to the group as a State Administrative Director for MRS and indicated she has assumed the duties of the MCDC-DODHH Executive Director upon the retirement of Duncan Wyeth. She indicated she has been with MRS since 1994, first as a Rehabilitation Counselor, then becoming a Site Manager and District Manager before assuming the position she currently assumes. As a staff development manager, she explained she wants to be able to continue to work with Director Emery and MCDC-DODHH staff to better prepare the MRS rehabilitation counseling and field staff to work with the Deaf and Hard of Hearing communities to ensure a proactive approach is taken with providing appropriate accommodations. She indicated that though MCDC-DODHH will be transferring to the Office of Civil Rights, she and her staff want to continue a good working relationship with them.

DODHH DIRECTOR'S REPORT

Director Emery welcomed Chris Hunter, former DODHH Director, to the meeting and thanked him and the other members of the Rules and Regulations Committee for their dedicated time and hard work to complete them. She indicated that the DODHH Advisory Board has been given notebooks containing information related to their role as Council Members, including a copy of the DODHH Act which specifies their duties. She indicated this Act describes their role as a liaison to the DODHH, for the Deaf, Hard of Hearing, Deaf-Blind and interpreting community. She also noted the DODHH website has recently been changed to www.michigan.gov/dodhh and the former website has a redirect to this link.

Director Emery gave an update on the status of the Rules and Regulations Committee, established four years ago. She asked members of the Committee who are present today to stand and introduce themselves to the group. She indicated that the work on the Committee has been a complex process and are close to completion. At this time, they have been submitted to the department for approval and then will be sent to the State Office of Administrative Hearing and Rules (SOAHR), which has also been transferred to the Department of Civil Rights per the Governor's Executive Order. At this time, copies are not available until it has been accessible to the disability communities, including transliterated into sign language, and then posted on the DODHH website. She indicated she will keep everyone updated as the process continues.

Director Emery indicated that a news press release had come out recently from Lansing Community College (LCC). She spoke with the LCC Provost, and met with the Dean and the Director of the Interpreting Program to discuss the issue. The news release indicated there were issues with the state certification system and Director Emery clarified the fact that there are not any problems. She indicated that the Provost of LCC had been unaware that the test has been running for over 16 months, and people are passing the test. She also indicated that upon further discussion, the real issue LCC is interested in addressing is for the sign language students to receive hands-on practice. Director Emery indicated that, unfortunately, the Deaf Interpreters

Act PA-204, does not give the division authority to promulgate rules for interpreting students. There is nothing in the legislation. She indicated that the law only gives the DODHH the authority to write the rules for a qualified interpreter. However, the Rules and Regulations committee strongly believes students should be allowed to gain practical experience and have written a rule that states qualified interpreters are allowed to supervise students. The Director requested that people be patient with the process.

Directory Emery gave an update on the following:

Status of The Rules and Regulations – Various stages

Submit draft rules and regulatory impact statement to DELEG Office of Policy & Legislative Affairs and Director's Office.

Submit draft rules and regulatory impact statement to the State Office of Administrative Hearings and Rules (SOAHR).

Publish public hearing notice in the Michigan Register and 3 newspapers.

Conduct 2 public hearings and allow for public comment.

Deadline for public comment.

Deadline to send Joint Committee on Administrative Rules (JCAR) report (hearing summary and final draft rules) to SOAHR for legal review and the Legislative Service Bureau (LSB) for legal certification.

Submit rules to JCAR.

If JCAR does not meet and object, the DELEG Director adopts the rules and SOAHR files them with the Office of the Great Seal.

If JCAR does object, they have 15 more session days to pass legislation to stop the rules and present it to the Governor

**EO 2011-5 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF REGULATORY REINVENTION**

Status of the Interpreter Coordinator Position / Hard of Hearing Specialist

The Division currently has two vacancies. The Interpreter Coordinator position formerly held by Joy Thomassen became vacant in July. This position is primarily responsible for testing and certification of qualified interpreters.

The second position is Hard of Hearing Specialist formerly held by Twyla Niedfieldt. This became vacant October 1. This position is primary responsible for assistive technology and assisting hard of hearing persons with access issues as well as updating Deaf and Hard of Hearing Handbook.

The Division has interviewed for the Interpreter Coordinator position but has not been able to make an offer. The move to MDCR created some financial issues that need to be worked out, before filling the position. As for the Hard of Hearing Specialist there is no funding in this years budget under DELEG to fill the position, thus it will remain vacant. When we move to MDCR we do not know what will happen with the vacancy.

Janet and I remain committed to address the needs of ALL of our population. This often means working testing and other issues around our other responsibilities.

Interpreter Statistics and Other related Interpreter Issues

The Division has tested over 210 individuals with the BEI since it began. This is an average of 13 individuals per month. This does not include retakes.

Current passage rate for the first year of operation are:

% PASSED		
BEI I	BEI II	BEI III
62.24%	76.00%	75.00%

	Passed	Took
BEI I	61	98
BEI II	19	25
BEI III	3	4
Total	83	127

These figures are based on the 127 individuals that too the test the first year.

The Division needs to clarify some information about testing. The test is not suspended. Janet, Christy and I are proctoring testing. Christy and Janet are proctoring the written. I am doing the performance. This gets done around our regular schedules and activities. We currently do not allow persons outside of employees to proctor testing. I am looking into the possibility of using some of our raters as proctors. However we must guarantee the security of the test.

We have encouraged people to take the test 6 months or more before their QA's expire. We are finding people are waiting until the last minute to test. Testing protocol requires that if a candidate fails they must wait 6 months before they can take the portion of the test they failed again. Thus if a person waits until 2 months before they expire and fail, they will be idle for 6

months and unable to legally interpret. Our results for the most part are being delivered to candidates in time. 2 weeks after the written and 90 days after the performance.

If a candidate passes a portion of the test they can move into the next segment without waiting 6 months.

We continue to process registration and renewals. The Division in cooperation with the Michigan Department of Education has adopted EIPA with a score of 3.5 as the phase in standard for educational interpreting. These will expire annually on June 30th.

Registration for QA, BEI and National Certification continues. Some important changes have occurred with CEUs and renewal. We are no longer accepting signed programs. A certificate of attendance must be included for the CEUs to be acceptable. Mentoring and Independent study for BEI unites and QA units must be Pre-approved. Restrictions are also being placed on CEUs that are primary social in nature. Please review the BEI study Guide and other documents on our website.

Director met with Lansing Community College Dean and spoke with Provost. Provost seemed uninformed of many items to testing. Was under impression no test or that the test was being changed. Didn't know test had been in operation over a year. Provost provided with this information as well as other related information on validity and reliability.

Reviewed with Dean information showing that of the 19 names given to Division for priority student testing only 9 had tested. Of the 9 that tested 8 passed some or part of the BEI test, only 1 had failed. In addition Division had located names of 4 other individuals who had taken and passed test who were current or former students. Dean indicated "state certification issues" meant everything not just the test but hands on interpreting for student practicum. It was explained that law did not give us the authority to regulate student internships, however that we had tried writing a rule utilizing our authority to regulate qualified interpreters and allowing for qualified interpreters to supervise students. Explained why we could not and offered some suggestions on how the students could get some practice. Meeting ended well but they did not retract media statement.

Interpreter Certification Numbers and Analysis of Data

Numbers remain consistent. We have had a few interpreters move in and move out. Biggest changes seen with QA III and NIC. Decrease in QA 3 increase in NIC. Also increase in NIC Master and Advance certifications

Division Activities

MRS Staff Training

Beaumont Staff Training

MDOC Training at Women's Facility

Legal Case using PA 204 as a basis

To Do List

Translating rules material to ASL
Public Hearings
Deaf Self Advocacy Communication Access Training
National consortium Of Interpreter Education Centers

Challenges

DIT
Staffing
Transitions

STATE INTERPRETER REPORT

Ms. Jurus gave an update on the following:

Interpreting

1. Continue to provide interpreting services for state government
2. Coordination/consultation of interpreter services for DODHH, MRS staff meetings and all state agencies.

Legislation/Credentialing

1. Database bugs
2. Continue to provide formal and informal training on PA 204 - Deaf Persons' Interpreter Act legislation new law.
3. Test dates posted by month, lapsing due to lack of planning
4. Process complaints related to PA 204.
5. Due to position vacancy -
 - a. Overview and distribution of all credential cards for state and national interpreters – not delayed (cards 4-6 wk)
 - b. Currently the contact for all QA/BEI/EIPA CEU's for DODHH sponsorship units.
 - c. Additional duties due to the vacancy as assigned

Public

1. Provide information and resource information for the public regarding ADA related issues of access, interpreter credentialing and testing and legislation.
2. New relationship with Jr Achievement regarding the field of professional sign language interpreting - Job shadow program to begin this spring.
3. MSD - Interpreter awareness week participation this Spring – consult on new annual event.
4. New website – www.michigan.gov/dodhh (copy up front)
5. SCAO – interpreter requirements in MI courts

MRS

10% of weekly work load to MRS – tasks include but not limited to:

- a. MRS Interpreting and Coordination of interpreter services
- b. Consultation with MRS staff regarding interpreter access for customers.
- c. MRS staff training and development.

LUNCH

Chair Whalen thanked both Director Emery and Ms. Jurus for their reports and indicated Council Member Patrick Baker joined the group and requested he introduce himself. She announced the group would break for a one hour lunch recess and indicated that if anyone would like to give a Public Comment later in the afternoon, they would need to fill out and submit a Comment Card.

INTRODUCTION – GOVERNOR SNYDER APPOINTMENT OFFICE

Chair Whalen welcomed the group back for the afternoon session of the DODHH Advisory Council meeting. She welcomed Dan Cramer, from Governor Snyder's Office, and requested he give an update on the appointment terms of the Advisory Council members. Mr. Cramer indicated that some of the Council Member's terms have expired and they are welcome to apply for reappointment. He indicated he will be forwarding an appointment application to them via e-mail. He also invited everyone to visit the Governor's website to make suggestions for Members they believe would qualify to represent the Advisory Council and their community. Director Emery stated that she is aware each administration does things differently and illustrated how our office had worked jointly with the past administration to assure appointments made to the council were appropriate to the councils needs. We would hope to be able to do the same with this administration, as everyone with a hearing loss is not appropriate for this council.

NEW BUSINESS

Ms. Whalen called for questions or comments from the group. Council Member Anthony indicated he had concerns with the interpreting programs throughout the educational levels, from K-12 and beyond, and would like for a consortium of agencies or organizations be developed for training interpreters. Council Member Asher added that captioned access real time transcription be included. Chair Whalen called for a motion.

MOTION: Council Member Anthony made a motion that the DODHH work towards creating a consortium, a task force, terminology, be what it is, of training programs for interpreter training programs, CART training programs, for your training programs in teachers education, interpreters themselves and deaf people, members of such a group like this, to review and develop a way to provide training and coalition between training and assessment for interpreters and CART. Council Member Trayner seconded the motion. Motion Carried.

Chair Whalen engaged the group in discussion regarding the issue related to the news release which Director Emery referenced in the morning session. She called for a review of the topic and dialogue regarding it was encouraged.

MOTION: Council Member Trayner moved that the DODHH Advisory Council ~~sponsor~~ support of the Lansing Community College (LCC) and their Interpreting Training Program (ITP) program. Council Member Anthony seconded the Motion. An Amendment from Council Member Neubeck to include all ITP programs, not just LCC was retracted. Motion to table: Nay, with four abstentions. Motion to table Carried.

Chair Whalen called for additional comments or questions. Council Member Baker requested that electronic voting be permissible for decisions related to voting on Motions.

MOTION: Council Member Baker moved that the DODHH Advisory Council adopt by-laws which permits electronic voting by members drafted by the Director and/or her staff, in coordination with the DODHH Advisory Council Chair, and advice of legal counsel. Council Member McDougall seconded the motion. Motion carried by unanimous vote.

Chair Whalen thanked Council Members for their input and called for additional comments or questions. Council Member Asher requested that DODHH coordinate a survey on the Deaf and Hard of Hearing community.

MOTION: Council Member Asher moved that the DODHH conduct a survey on the state of the Deaf and Hard of Hearing community, as it has not been done within the past 15 years. Council Member McDougall seconded the motion with discussion. Amendment by Council Member Asher to include the Deaf-Blind community. Director Emery Motioned to table ~~to~~ discussion due to funding for the research. Council Member Trayner seconded the Motion. Motion carried.

Director Emery responded to questions related to the two vacant positions in DODHH. She explained the Interpreter Coordinator position has not been filled due transitional issues. She indicated that we do not know what is going to happen to the Hard of Hearing Specialist position but we will not know until after the transfer of the DODHH office to the Office of Civil Rights. She explained that the MCDC-DODHH budget has been established for fiscal year 2011, but the position vacancies will need to wait to be addressed in fiscal year 2012 upon the transfer to the Office of Civil Rights. She also indicated that, with respect to that position vacancy, she encourages the Council Members to advocate for and assist the Deaf and Hard of

Hearing people within their communities to contact their senators and representatives to advocate for improved services, as several agencies serving the deaf, hard of hearing, and deaf blind have closed throughout the state of Michigan which has increased the volume of people requesting assistance of the DODHH staff. She also indicated that the Day at the State Capitol, an annual event supported by the Deaf and Hard of Hearing community, should not be cancelled as this is a critical year with state budget issues and many new representatives that are not familiar with deaf/hard of hearing/ deaf-blind issues.

DATES FOR NEXT ADVISORY COUNCIL MEETING

Chair Whalen requested input for scheduling further Advisory Council meetings. She indicated that it is required that they meet twice a year, per the DODHH Act. The group agreed to collaborate via e-mail and the dates will be announced and posted on the www.michigan.gov/dodhh website.

PUBLIC COMMENT

Chair Whalen announced that anyone wishing to speak publicly must address the group within a two minute timeframe and requested assistance from DODHH staff Christy Hill and Janet Juras. There were 12 people who addressed the group and Director Emery indicated there will be follow-up for their concerns.

ANNOUNCEMENTS

Council Member Asher announced that the Michigan Coalition for Deaf and Hard of Hearing Association (MDA) will be hosting a Mental Health and Hard of Hearing Workshop on May 13, 2011 at Madonna University, which will offer Continuing Educational Units. Also, MDA will be hosting Camp Chris at Bear Lake, August 7-13, 2011, for the Deaf, Hard of Hearing, Deaf-Blind and Children of Deaf of Adults community within the ages of 8 and 14. She indicated that the applications are available at www.michdhh.org. Also, persons interested to work as staff or interpreters are needed and encouraged to contact Council Member Asher for further details.

ADJOURNMENT

Chair Whalen called for an adjournment at 3:30 p.m. and thanked everyone for attending the meeting. Council Member Anthony seconded.